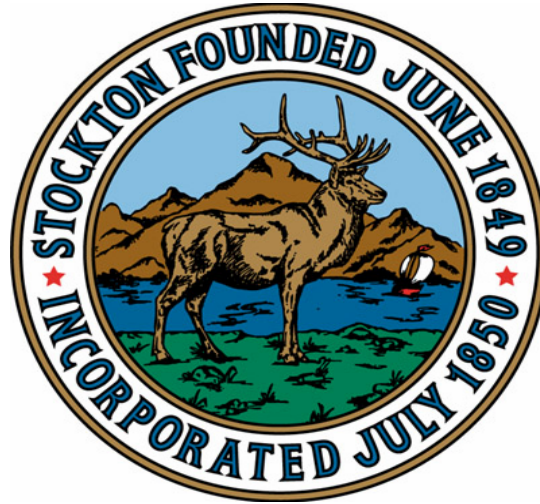


City of Stockton



Candidate's Handbook

KATHERINE GONG MEISSNER
City Clerk of the City of Stockton
425 N El Dorado Street

Stockton CA 95202

Phone: (209) 937-8459

Fax: (209) 937-8447

40025HOITCEE



October 1, 2003

Dear Candidate:

Congratulations on your decision to run for elected public office and your desire to serve the citizens of the City of Stockton.

A packet has been compiled to provide you with a Candidate's Handbook, the Fair Political Practices Information Manual A, plus the 2003 Addendum, and the official forms you will need as a candidate for Mayor or City Councilmember in the March 2, 2004 Primary Election and November 2, 2004 General Election.

The Candidate's Handbook summarizes major provisions related to candidates running for office, but is not intended to be all encompassing. The State Election and Government Codes, the Stockton City Charter, and the Stockton Municipal Code were referenced to provide the information contained herein. It is imperative to thoroughly review all information in order to be cognizant of the responsibilities of a candidate for public office. Candidates are responsible for complying with State laws governing campaign reporting and are subject to fines levied by the Fair Political Practices Commission (FPPC) and the City Clerk should there be a failure to comply. If you have any questions regarding reporting requirements, you may call the FPPC toll free at (866) 275-3772 or access the FPPC website at www.fppc.ca.gov.

Your Nomination Paper, Candidate's Statement of Qualifications, payment of fees, and required FPPC forms must be filed together, in my office, before the close of the filing period on Friday, December 5, 2003 at 5:00 p.m.

If you have any questions, please feel free to call me at 937-8459 during regular business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday.

A handwritten signature in black ink, appearing to read 'Katherine Gong Meissner', is written over a faint, larger version of the same signature.

KATHERINE GONG MEISSNER
CITY CLERK

CANDIDATE'S HANDBOOK

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Offices To Be Filled – Elections 2004

- March 2, 2004 - Primary
- November 2, 2004 - General

The City of Stockton will be conducting an election on March 2, 2004 for the following Council District Seats. The filing period opens Monday, November 10, 2003 at 8:00am and closes on Friday, December 5, 2003 at 5:00pm.

<u>OFFICE</u>	<u>TERM</u>
Mayor*	01/01/05 - 12/31/08
Councilmember** District #2	01/01/05 - 12/31/08
District #4	01/01/05 - 12/31/08
District #6	01/01/05 - 12/31/08

*The Mayoral candidate receiving 50% plus 1 of the votes at the March 2, 2004 Primary Election will win the election. No run off in the November 2, 2004 general election will be necessary.

**The top two candidates receiving the most number of votes in the March 2, 2004 district primary, will face off in the November 2, 2004 citywide general election. The candidate receiving the most number of votes at the November general wins the election.

Stockton City Charter Requirements

Mayor Requirements

Charter Article VI, Section 602:

The Mayor must reside in and be a qualified elector (registered voter) of the City for a period of not less than thirty (30) days prior to the filing of nomination papers

Moving from the City during the term shall automatically forfeit the office.

Absence from five (5) consecutive regular meetings, unless excused by resolution of the Council, shall operate to vacate the office.

The voters of the entire City shall elect the Mayor at the primary municipal election; provided, however, that should no candidate for the office of Mayor receive at the primary municipal election a majority of the votes cast for all candidates for said office, the two (2) candidates receiving the highest number of votes cast for any such candidates shall thereby qualify as candidates for the office of Mayor at the runoff election to be held at the general municipal election.

The Mayor shall be elected by the qualified electors of the City at large and shall hold such office for a term of four (4) years beginning on January 1 of the year following the Mayor's election and until a successor is elected and qualified.

Councilmember Requirements

Charter Article VI, Section 601:

Each member must reside in and be a qualified elector (registered voter) of the district from which nominated and elected, for a period of not less than thirty (30) days prior to the filing of his nomination papers.

Any member of the Council moving from his district during his term shall automatically forfeit his office.

Any member who is absent from five (5) consecutive regular meetings, unless excused by resolution of the Council, shall operate to vacate the seat.

The voters of each district shall nominate two candidates for Councilmember at the primary election. The voters of the entire City shall elect the Councilmember for each district at the general election.

Councilmembers shall be elected to a term of four (4) years beginning on January 1 of the year following their election.

Mayor and City Councilmember Requirements

Charter Article VI, Section 604:

Every officer of the City, before entering upon the duties of his office, shall take the oath of office as provided for in the constitution of this State and shall file the same with the City Clerk.

Charter Article VI, Section 605:

No member of the Council shall hold any other City office or City employment during the term for which he or she was elected to the Council; provided and excepting, however, that a member of the Council may become a member of any advisory, administrative or governing body of any special district, entity, organization or committee when such is authorized by State law or where the offices are not incompatible.

Charter Article VI, Section 606:

No person elected as either Mayor or Councilmember shall be eligible to serve, or serve, as either Mayor or Councilmember for more than two (2) terms; but such service prior to January 1, 1989 shall not disqualify any person for further service as either Mayor or Councilmember.

NOMINATION PROCESS - CANDIDATE'S PROCEDURES

I. STARTING THE NOMINATION PROCESS

(Note: Step 1 through Step 4 may be performed before the nomination period opens on November 10, 2003.)

Step 1. Obtain Candidate Handbook From City Clerk.

(Note: nomination packet containing all the necessary candidate's forms cannot be given out until the nomination period opens on November 10, 2003.)

Regular business hours for the Office of the City Clerk are 8:00 a.m. to 5:00 p.m. Monday through Friday. We are open during the lunch hour as well. We may be reached at:

Office of the City Clerk
425 North El Dorado Street
Stockton, CA 95202
(209) 937-8458
city.clerk@ci.stockton.ca.us

Step 2. File Form 501, Candidate Intention Statement (Exhibit A).

The Form 501 must be filed prior to the solicitation or receipt of any contribution or loan, and prior to use of any of the candidate's personal funds in support of his/her campaign. Exception: Form 501 is not required if a candidate does not solicit or receive contributions from others, and the only expenditures will be the candidate's personal funds for a filing fee and/or Statement of Qualifications that will appear in the voter pamphlet.

File Form 501 with: 1) Secretary of State (see form for address) and 2) City Clerk.

Candidates may start soliciting and receiving contributions for campaign expenses as soon as the candidate has filed a Form 501, Candidate Intention Statement, and a Form 410, Statement of Organization. A candidate does not have to wait until the nomination period opens on November 10 to file these statements to start soliciting/receiving contributions.

The Form 501 **is not** required if a candidate does not solicit or receive contributions from others, and the only expenditures will be from the candidate's personal funds for a filing fee and/or printing the Statement of Qualifications.

The form 410, Statement of Organization establishes the committee.

Refer to FPPC Information Manual A, Part IV for specific information relative to establishing Bank Accounts and Part IX for restrictions on the use of campaign funds.

Step 3. File form 410, Statement of Organization (Establishes Bank Account) (Exhibit B)

Used by an officeholder or candidate who receives contributions totaling \$1,000 or more within a calendar year. When \$1,000 has been received, the officeholder/candidate qualifies as a recipient committee and, within 10 days of qualifying, must file Form 410 with the Secretary of State and the local filing officer. A candidate is not required to count payments made from his/her personal funds for a filing fee or for a Statement of Qualifications that will appear in the voter pamphlet when calculating whether \$1,000 in contributions has been received. However, all other personal funds of the officeholder/candidate used in connection with his/her election must be counted. Form 410 may be filed prior to receiving \$1,000.

Candidates must establish a campaign bank account for each office for which a Candidate Intention, Form 501, has been filed. The campaign bank account must be established at a financial institution located in California. All contributions designated for a particular account or committee must be deposited in the appropriate campaign bank account. Candidates and officeholders may not make campaign-related expenditures from personal funds. Personal funds that will be used to pay campaign-related expenses must be deposited into the appropriate bank account prior to making the expenditure. See FPPC Information Manual A, Part IX for restrictions on use of campaign funds.

A campaign committee does not have to be opened first to pay for the filing fee and the statement of qualifications. The filing fee and statement of qualifications may be paid for out of personal funds. When the Committee is opened, then the filing fee and statement of qualifications are reimbursed to the candidate from campaign funds. This reimbursement is reportable on the campaign statement Form 460.

Note: Payments from a candidate's personal funds for a filing fee or for printing a Candidate's Statement of Qualifications are not reportable contributions or expenditures in meeting the \$1,000 threshold to qualify as a committee.

_____ File the original Form 410 plus one copy with the Secretary of State.

_____ File one copy of Form 410 with the City Clerk.

Refer to FPPC Information Manual A, Part IV for specific information relative to establishing Bank Accounts and Part IX for restrictions on the use of campaign funds.

Step 4a. Form 460, Recipient Committee Campaign Statement (Exhibit C-1).

Used by a candidate or officeholder who has a controlled committee, or who has raised or spent or will raise or spend \$1,000 or more during a calendar year in connection with election to office or holding office. Also, use the Form 460 to file a pre-election statement, semi-annual statement, quarterly statement, special odd-year report, supplemental pre-election statement, termination statement, or amendment to a previously filed statement. (You will be notified when this Form 460 is due). File this form with the City Clerk in accordance with the deadlines established by the FPPC included in this handbook on the page entitled, "Candidates for Local Office...Being voted on March 2, 2004"_.

Step 4b. Form 470, Officeholder And Candidate Campaign Statement Short Form (Exhibit C-2).

Used by candidates who do not have a controlled committee and do not anticipate receiving or expending \$1,000 or more during the calendar year. This form is used in place of the 460 and must be filed with the City Clerk in accordance with the deadlines established with the FPPC in this handbook on the page entitled, "CAMPAIGN DISCLOSURE STATEMENTS" "Filing Schedule for March 2, 2004 Primary".

II. PROCESS DURING THE NOMINATION PERIOD

(Nomination period opens November 10, 2003 and closes December 5, 2003)
(Steps 1 through Step 9 are performed during the nomination period)

Step 1. Pick Up Nomination Packet

Packet Contains All The Necessary Candidate Forms.

Recommend that the candidate pick up forms personally. This would permit staff to review the forms and procedures as there are several forms requiring the candidate's signature.

Step 2. Circulate Nomination Paper (Exhibit D).

This form may only be circulated during the open filing period, which is from Monday, November 10, 2003 at 8:00 a.m. through Friday, December 5, 2003 at 5:00 p.m.

Circulator Requirements:

The candidate or an appointed circulator may circulate the petition. Note: You and your spouse and adult children may sign (provided s/he are registered voters and live in your district if you are a Council candidate; if you are a Mayoral candidate, s/he must live in the City).

Each person who circulates a nominating paper for a candidate for the City Council must be a resident and qualified elector of the same City Council district as that of the candidate. In the case of the nomination petition for a Mayoral candidate, each circulator must be a resident and registered voter of the City of Stockton.

Signature Requirements:

A minimum of 10 to a maximum of 25 signatures of registered voters must be obtained on the nomination petition. It is advisable that you obtain the maximum number (25) to allow for a cushion in the event some of the signatures are invalid. Please note that if a person signs the paper of two candidates in the same district, only the signature on the first paper filed with the City Clerk will be counted. (EC 10220, Stockton City Charter Article VII, Section 703)

Each signer must be a resident and registered voter of the same City Council district as that of the candidate. In the case of the nomination petition for a Mayoral candidate, each signer must be a resident and registered voter of the City of Stockton.

No more signers shall be secured for any candidate than the maximum number required in this article. If, however, through miscalculation or otherwise, more signers are secured than the maximum number, the officer with whom the nomination papers are filed shall, with the written consent of the candidate, withdraw the excess number. EC 8067.

Step 3. Circulator to Execute Declaration (Exhibit E).

The Circulator must complete the Circulator Affidavit after the Nomination Paper is circulated. If the nominee is the circulator, the nominee completes the affidavit.

Whoever circulates the nomination paper must sign an affidavit that he/she personally witnessed all the signatures on the paper, and knows that they are the signatures of the persons whose names they purport to be.

The circulator must complete the "Declaration of Circulator" as his or her name appears on the voter registration.

To ensure that you have the required number of valid signatures on your nomination paper, we recommend that you check the Index of Registered Voters available at the San Joaquin County Registrar of Voters, located at 212 N San Joaquin St (209) 468-2885, **before** filing final papers with the City Clerk. The Index is also available on CD by precincts for purchase through the Registrar. Official verification of the signatures is done after the City Clerk has submitted the nomination papers to the County Registrar of Voters, after the closing of the nomination period. The City Clerk advises candidates to allow ample time prior to filing for checking the signatures against the Index of Registered Voters. If there is a problem with your papers, there will be sufficient time to correct them.

Allow a minimum of 45 minutes to 1 hour to file nomination papers. There are a number of instructions to review and documents to complete. In order to avoid delay, it is strongly recommended that candidates make appointments with the City Clerk by calling (209) 937-8459.

Step 4. Candidate's Filing Fee - \$25

A \$25 candidate's filing fee is payable (by cash or check) to the City of Stockton when the nomination petition is filed with the Clerk. The City Council established the non-refundable filing fee of \$25 for Mayoral and Council candidates as set forth in City Council Resolution 94-0079. This fee must be paid at the time nomination papers are filed. (See IV Checklist of what must be filed with the City Clerk by December 5, 2003, 5 p.m.)

Note: Payments for the filing fee or statement of qualifications from campaign funds continue to be reportable expenditures on the Form 460, Recipient Committee Campaign Statement, Schedule E. A third party payment of the filing fee or ballot statement fee is an in-kind contribution to the candidate and is reported on Form 460, Recipient Committee Campaign Statement, Schedule C.

Step 5. Fill Out Certificate Of Residency (Exhibit F).

All candidates must complete a Certificate of Residency when filing their nomination papers. Members of the Council must reside in and be a qualified elector of the district from which said member is nominated and elected, 30 days prior to filing nomination papers. Stockton City Charter, Section 601 (d). This form is filed when the nomination papers are filed. (See IV Checklist of what must be filed with the City Clerk by December 5, 2003, 5 p.m.)

Step 6. Prepare Candidate's Statement of Qualifications (Optional) (Exhibit G)

(must be typed).

The estimated costs for Candidate's Statement of Qualifications which are printed in the voter pamphlet in both English and Spanish are:

- \$3,320 for Mayoral candidate
- \$900 for Council candidate

The Candidate's Statement of Qualifications is optional.

Each candidate may prepare a Statement of Qualifications on an official form provided on CD by the City Clerk. The Candidate's Statement of Qualifications is designed to acquaint voters with a candidate's qualifications for the office being sought. This statement is printed on the voter pamphlet, and mailed to all registered voters eligible to vote for that particular candidate. The candidate is required to pay the cost for printing the statement on the voter pamphlet EC 13307 (c). The candidate must sign and date the statement at the time it is filed.

The estimated charge for the printing, handling, translating, and mailing of the Candidate's Statement of Qualifications is an approximation of the actual cost that varies from one election to another, and may be significantly more or less than the estimate, depending on the number of voter pamphlets that must be printed for registered voters. The amount of the estimated cost is due at the time nomination papers are filed. The San Joaquin County Registrar calculates the actual costs after the election. Accordingly, in the event of an underpayment, the candidate will be billed for the balance of the cost incurred. In the event of an overpayment, the excess amount will be refunded within 30 days of the election. EC 13307 (c)

Check your statement carefully. Once your statement is filed, it may not be retrieved for any changes. A copy of the signed statement will be given to you. If you choose not to file a statement, the lower portion of the form must be signed to indicate such. All statements are confidential until the expiration of the filing deadline.

The Elections Code specifies that the Statement of Qualifications shall be filed when the nomination papers are returned for filing. (EC 13307(a)(2)). The statement may not be filed separately from the nomination petition before the nomination period ends.

Once the Candidate's Statement of Qualifications is filed, it may NOT be changed; this includes any corrections to words or spelling errors. The statement may be withdrawn but cannot be retrieved for any changes EC 13307 (a)(3). The Elections Code prohibits the Elections Official from altering the statement. Check your statement carefully before filing.

The Candidate's Statement of Qualifications may be withdrawn during the period for filing nomination papers and until 5:00 p.m. of the next business day after the close of the nomination period, December 8, 2003. (EC 13307 (a)(3)). A refund of the estimated cost for printing the statement will be made within 30 days of the election, if it is withdrawn within the timeframe above.

Note: Once a statement is withdrawn, it cannot be refilled.

Note: Payments for the filing fee or statement of qualifications from campaign funds continue to be reportable expenditures on the Form 460, Recipient Committee Campaign Statement, Schedule E. A third party payment of the filing fee or ballot statement fee is an in-kind contribution to the candidate and is reported on Form 460, Recipient Committee Campaign Statement, Schedule C.

Candidate's Statement in November 2, 2004 General Election

You may submit a new statement for the General Election (runoff). Whether it is the same statement or changed, you will be required to pay the costs for having a statement included in the voter pamphlet. The printing cost for the November General Election for Council candidates is almost double that for the Primary Election. The reason for the increased cost is because the November General Election is citywide, whereas the primary election is held district wide. The statement and payment for printing for the November 2004 General Election should be submitted to the City Clerk no later than August 12, 2004.

(See IV Checklist of what must be filed with the City Clerk by December 5, 2003, 5 p.m.)

See pages pertaining to "Candidate's Statement Of Qualifications – Criteria" for detailed information in reference to "Word Count Standards", "Guidelines for Computing Word

Count”, and “Estimated Costs for Printing Candidate’s Statement” contained in this handbook.

Step 7. Fill Out Statement Of Economic Interests, Form 700 (Exhibit H).

Used by individuals who make or participate in making government decisions that could affect their personal financial interests. Officials and candidates of the City Council are designated as “code filers”, and are required to file Form 700 to satisfy provisions under the Political Reform Act. (See: 1) Overview of Conflicts of Interests contained in this handbook, 2) The Manual for Statements of Economic Interests, and 3) IV Checklist of What Must Be Filed with the City Clerk by December 5, 2003, 5 p.m. in this handbook.)

Step 8. Fill Out Public Information Resume (Optional) (Exhibit I).

Completion of this form is voluntary. If it is used, the information provided will be made available to the public, the newspaper and other media in response to inquiries about you. (See IV Checklist of what must be filed with the City Clerk by December 5, 2003, 5 p.m.)

Step 9. Fill Out Code Of Fair Campaign Practices Form (Optional) (Exhibit J).

Every candidate for public office is encouraged to follow basic principles of decency, honesty, and fair play in conducting campaigns. Completion of this form is voluntary. (See IV Checklist of what must be filed with the City Clerk by December 5, 2003, 5 p.m.)

Step 10. Think About Candidate Ballot Designation.

The Candidate’s ballot designation is the designation that will be printed next to your name on the ballot. You will need to decide this designation when the nomination papers are filed. The regulations for Candidate Ballot Designations are contained in this handbook. (See IV Checklist of what must be filed with the City Clerk by December 5, 2003, 5 p.m.)

III. DEADLINE AND PROCESS FOR FILING NOMINATION PETITION AND NOMINATION PAPERS

December 5, 2003 at 5 p.m. is the deadline for filing nomination petition and nomination papers with the City Clerk.

Nomination papers must be filed in accordance with the provisions of the State Elections Code. The time clock in the City Clerk's Office stamps the official time and date on all nomination papers. Those papers received after 5 pm on December 5, 2003 will not be accepted.

Candidates must personally file their papers for the following reasons:

- a. The candidate must take the Oath of Affirmation, administered by the City Clerk or her deputy.
- b. The candidate's signature is required on many documents involved in the election process, including the Certificate of Residency and the Candidate's Statement of Qualifications.
- c. If through an oversight the nomination papers are incomplete, the problem can easily be rectified when the candidate files in person.

Since there are a number of instructions to review and documents to complete, **it is strongly recommended that candidates make appointments with the City Clerk** (209) 937-8459 to file paperwork at the Office of the City Clerk, City Hall, 425 N El Dorado St., Stockton. Please allow a minimum of 45 minutes to 1 hour.

It is recommended that you do not wait until the last day to file your nomination papers. Allow ample time prior to filing for checking signatures against the Index of Registered Voters. If there is a problem with your papers, you will still have time to circulate a new paper.

File nomination documents with the City Clerk at your appointed time. Nomination papers and all forms listed in the checklist below must be filed with the City Clerk by 5:00 p.m. Friday, December 5, 2003. **All fees will be collected at the time of filing.**

IV. CHECKLIST OF WHAT MUST BE FILED WITH THE CITY CLERK

Filing Deadline - December 5, 2003, 5 P.M.

Below is a checklist of what must be filed with the City Clerk:

- ☐ \$25 candidate's filing fee
- ☐ Nomination Petition
- ☐ Declaration of Circulator
- ☐ Candidate's Ballot Designation
- ☐ Affidavit of Nominee (Clerk to administer oath of allegiance)
- ☐ Certificate of Residency
- ☐ Candidate's Statement of Qualifications (optional)
- ☐ \$3,320 for Mayoral candidate
- ☐ \$900 for Council candidate
- ☐ Statement of Economic Interests (Form 700)
- ☐ Public Information Resume (optional)
- ☐ Code of Fair Campaign Practices Form (optional)

NOTE: If you change your mind about being a candidate, you may withdraw as a candidate at any time prior to the close of the nomination period, which is 5:00 p.m., December 5, 2003. THE FILING FEE IS NOT REFUNDABLE. A candidate is not permitted to withdraw after the close of the period, and his/her name will appear on the ballot. However, the deposit made for printing the Statement of Qualifications on the voter pamphlet will be refunded, if the withdrawal is made timely.

V. GENERAL NOTES TO CANDIDATES

Randomized Drawing:

The Secretary of State will conduct a randomized drawing of all the letters of the alphabet on December 11, 2003. We will notify candidates of the ballot order. The randomized drawing for the November 2, 2004 General Election will be conducted by the Secretary of State on August 12, 2004.

List of Candidates:

A list of qualified candidates be available the next working day after the close of the nomination period at 8 a.m. on December 8, 2003.

Campaign Signs:

Unsuccessful candidates—Signs must be removed by March 9, 2004.

Runoff candidates – Signs must be removed by November 9, 2004.

The top two candidates receiving the most votes in the March primary may leave their signs in place until 7 days following the general election. All political signs must be removed from all premises by November 9, 2004.

See “Political Sign Regulations” in this manual.

VI. WITHDRAWAL OF CANDIDACY

Should a candidate subsequently decide to withdraw his/her nomination, it must be done no later than 5:00 p.m., December 5, 2003. The filing fee is not refundable; however, the fee paid for the estimated cost of printing the Statement of Qualifications will be reimbursed **if** the candidate withdraws no later than the above date.

A candidate is not permitted to withdraw after the December 5, 2003 date at 5 p.m. and the candidate's name will appear on the ballot.

Candidate's Statement Of Qualifications

(Printed in English and Spanish)

Estimated Costs For Printing

The estimated cost for printing, handling, translating, and mailing of the Candidate's Statement of Qualifications is an approximation of the actual cost that varies from one election to another. The actual costs may be significantly more or less than the estimates as follows:

<u>Candidate</u>	<u>Election</u>	<u>Cost</u>
Mayor	03/02/04	\$3320
Councilmember	03/02/04	\$ 900

Because of the variable factors involved, it is difficult to determine the exact cost to each candidate prior to the election. The actual cost for printing, handling and mailing depends on the number of registered voters in the district and how many candidates elect to have a statement in the voter pamphlet. The fee indicated above for an English/Spanish printing includes translation costs.

Actual costs are calculated by the San Joaquin County Registrar after the election, and may be higher or lower than estimated. The candidate is responsible for the actual amount. In the event of underpayment, the candidate will be billed for the difference. In the event of an overpayment, the excess shall be refunded within 30 days of the election.

Criteria

Content:

The statement may contain the name, age and occupation of the candidate and a brief description of the candidate's education and qualifications expressed by the candidate.

Restrictions:

In order to ensure uniformity of candidates' statements, the candidates must prepare their statements as follows:

- The statement shall contain no more than 250 words.
- The statement shall be typed, double-spaced only. Use upper and lower case type.
- DO NOT use any unusual s p a c i n g, **BOLDING**, italics or underscoring.
- Objectionable language, or language that incites, advocates or promotes hatred, abuse, violence or hostility toward any person or groups of persons, may not be used.

- Check the statement for errors in spelling, punctuation and grammar. By law, the statement content may not be altered after it is filed with the Clerk.
- Do not include any party affiliation.
- Do not include membership or activity in partisan political organizations

Withdrawal Of Statement:

The Candidate's Statement of Qualifications may be withdrawn, but not changed, during the period for filing nomination papers, and until 5:00 p.m. of the next working day after the close of the nomination period (December 8, 2003), (EC13307(a)(3)).

Confidential:

Notwithstanding any other provisions of the law, the candidate's statement filed pursuant to Elections Code Section 13307 shall remain confidential until the expiration of the filing deadline--**December 5, 2003**, or by December 10, 2003 if an incumbent failed to apply by December 5, 2003. (Note: There are no eligible incumbent candidates in the 2004 elections.)

Contents Challenged:

The Candidate's Statements of Qualifications will be available for public examination after the deadline for filing has passed. The documents may be reviewed during a statutory 10-day public examination period beginning **December 26, 2003**. Copies are provided to the public at a cost of 10 cents per page.

During the 10-calendar-day examination period, any voter of the jurisdiction in which the election is being held may seek a writ of mandate or an injunction requiring any or all of the material in the voter's pamphlet to be amended or deleted. (EC 13313)

Word Count Standards

Listed below are the guidelines developed by the Secretary of State and utilized by the Clerk in determining the number of words submitted on the statement:

1. Punctuation is not counted.
2. Each word shall be counted as one word except as specified in this section.
3. All geographical names shall be considered as one word; for example, "City and County of San Francisco" shall be counted as one word.
4. Each abbreviation for a word, phrase, or expression shall be counted as one word, e.g., UCLA, PTA, L.A.P.D., Dr., ASAP, NIMBY.
5. Hyphenated words that appear in any generally available dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.
6. Dates consisting of a combination of words and digits shall be counted as two words, e.g., April 10, 1990. Dates consisting of only digits shall be counted as one word, e.g. 4/10/90.
7. Any number consisting of a digit or digits shall be considered as one word. Any number which is spelled, such as "one," shall be considered as a separate word or words. "One" shall be counted as one word whereas "one hundred" shall be counted as two words. "100" shall be counted as one word.
8. Telephone numbers shall be counted as one word.
9. Internet web site addresses shall be counted as one word.

Guidelines For Computing Word Count

The title of the office, name, age and occupation lines and the signature are not included in the word count. Only text is counted.

TYPE OF WORD	EXAMPLE	WORD COUNT
Dictionary words		One word
The words	“a”, “the”, and “and”	One for each word
Abbreviations	“UCLA”, “U.C.L.A.”, “USMC”, “U.S.M.C.”	One word
Geographic Names	County of Siskiyou, Fort Jones	One word
Whole numbers		
Digits	1, 10, 100	One word
Spelled	One, ten, one hundred	One for each word
Numeric combinations	1973, 18 ½, 1971-73, 5%	One word
Dates		
All digits	4/8/86	One word
Words/digits	April 8, 1986	One for each word
Monetary Units		
Dollar sign/digits	\$1	One word
Spelled	One thousand dollars	One for each word
Hyphenated words	(Hyphenated in dictionary)	One word

If the text exceeds the word limit, the candidate must delete or change a sufficient number of words or sentences to conform with the required word limit before the statement is filed. The candidate should correct any misspellings before the statement is filed.

This section shall not apply to counting words for ballot designation under Section 13107.

Indigence

Candidates may apply for an exemption from **advance** payment for the Statement of Qualifications by filing an Affidavit of Financial Worth. The candidate shall also sign a release form of his/her most recent federal income tax report. EC 13309 (b).

Thereafter, the local agency shall determine if the candidate is eligible to submit a candidate's statement without **advance** payment. Determination of indigence does not mean the candidate is exempt from paying the fee for the statement. If it is determined the candidate is indigent, the local agency shall print and mail the statement. EC 13309 (e). The candidate will be billed for his or her actual pro rata share of the cost **after** the election. EC 13309(f).

If it is determined the candidate is not indigent, the candidate shall within 3 days of notification, excluding Saturdays, Sundays and State holidays, withdraw the statement or pay the requisite fee.

False Statements/Fines

The Elections Code Section 18351 provides that "Any candidate in an election...who knowingly makes a false statement of a material fact in a candidate's statement, prepared pursuant to EC 11327 or 13307 with the intent to mislead the voters in connection with his or her campaign for nomination or election to a nonpartisan office is punishable by a fine not to exceed \$1,000."

Candidate Ballot Designation Regulations

The ballot designation is the word, or group of not more than three (3) words, which will appear on the ballot under the candidate's name, designating the current principal profession, vocation, or occupation of the candidate. The ballot designation that a candidate may use is governed by the Elections Code.

EC Sec. 13106. No Title Or Degree.

No title or degree shall appear on the same line on a ballot as a candidate's name, either before or after the candidate's name, in the case of any election to any office. (Added by Stats. 1994, c.920, §2.)

EC Sec. 13107. Ballot Designation Requirements.

(a) With the exception of candidates for Justice of the State Supreme Court or court of appeal, immediately under the name of each candidate, and not separated from the name by any line, may appear at the option of the candidate only one of the following designations:

(1) Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination documents to which he or she was elected by vote of the people, or to which he or she was appointed, in the case of a superior court judge.

(2) The word "incumbent" if the candidate is a candidate for the same office which he or she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people, or, in the case of a superior court judge, was appointed to that office.

(3) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. For purposes of this section, all California geographical names shall be considered to be one word. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.

(4) The phrase "appointed incumbent" if the candidate holds an office other than a judicial office by virtue of appointment, and the candidate is a candidate for election to the same office, or, if the candidate is a candidate for election to the same office or to some other office, the word "appointed" and the title of the office. In either instance, the candidate may not use the unmodified word "incumbent" or any words designating the

office unmodified by the word "appointed." However, the phrase "appointed incumbent" shall not be required of a candidate who seeks reelection to an office which he or she holds and to which he or she was appointed, as a nominated candidate, in lieu of an election, pursuant to Sections 5326 and 5328 of the Education Code or Section 7228, 7423, 7673, 10229, or 10515 of this code.

(b) Neither the Secretary of State nor any other election official shall accept a designation of which any of the following would be true:

- (1) It would mislead the voter.
- (2) It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.
- (3) It abbreviates the word "retired" or places it following any word or words which it modifies.
- (4) It uses a word or prefix, such as "former" or "ex-," which means a prior status. The only exception is the use of the word "retired."
- (5) It uses the name of any political party, whether or not it has qualified for the ballot.
- (6) It uses a word or words referring to a racial, religious, or ethnic group.
- (7) It refers to any activity prohibited by law.

(c) If, upon checking the nomination documents, the election official finds the designation to be in violation of any of the restrictions set forth in this section, the election official shall notify the candidate by registered or certified mail return receipt requested, addressed to the mailing address appearing on the candidate's nomination documents.

(1) The candidate shall, within three days from the date of receipt of the notice, appear before the election officer or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide an alternate designation.

(2) In the event the candidate fails to provide an alternate designation, no designation shall appear after the candidate's name.

(d) No designation given by a candidate shall be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the elections official as specified in subdivision (c) or as provided in subdivision (e).

(e) The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 98 days prior to the general election, requests in writing a different designation which the candidate is entitled to use at the time of the request.

(f) In all cases, words so used shall be printed in 8-point roman uppercase and lowercase type except that, if the designation selected is so long that it would conflict with the space requirements of Sections 13207 and 13211, the elections official shall use a type size for the designation for each candidate for that office sufficiently smaller to meet these requirements.

(g) Whenever a foreign language translation of a candidate's designation is required under the Voting Rights Act of 1965 (42 U.S.C.A. Sec. 1971), as amended, to appear on the ballot in addition to the English language version, it shall be as short as possible, as consistent as is practicable with this section, and shall employ abbreviations and initials wherever possible in order to avoid undue length.

13107.5. (a) A candidate's ballot designation as "community volunteer" shall constitute a valid principal vocation or occupation for purposes of subdivision (a) of Section 13107, if not otherwise in violation of any of the restrictions set forth in that section, and subject to the following conditions:

(1) A candidate's community volunteer activities constitute his or her principal profession, vocation, or occupation.

(2) A candidate is not engaged concurrently in another principal profession, vocation, or occupation.

(3) A candidate may not use the designation of "community volunteer" in combination with any other principal profession, vocation, or occupation designation.

(b) The Secretary of State shall by regulation define what constitutes a community volunteer for purposes of this section.

Political Reform Act

Use Of Campaign Funds

The Political Reform Act (GC § 89510 - 89522) provides definitions and regulates the receipt and expenditure of campaign and surplus campaign funds. These provisions apply to campaign funds held by candidates for elective office, elected officers, candidate controlled committees, ballot measure committees, committees opposed to a candidate or measure, and any committee which qualifies as a committee pursuant to subdivision (a) of Government Code Section 82013.

In general, these provisions state that all campaign funds are held in trust for the purpose of seeking or holding elective office. At a minimum, campaign fund expenditures must be reasonably related to political, legislative, or governmental purposes. Expenditures that confer a substantial personal benefit on the candidate, committee or person authorized to approve the expenditure must be directly related to a political, legislative, or governmental purpose.

The provisions specifically restrict the use of campaign and surplus campaign funds. Please refer to the 1995-96 Campaign Disclosure Information Manual A and the 2003 Addendum provided in this packet. These manuals were prepared specifically for candidates and committees by the Fair Political Practices Commission, the enforcement agency of the Political Reform Act.

The manuals also provide specific information on recordkeeping requirements. The State Franchise Tax Board may be utilized to audit campaign disclosure statements at the request of the FPPC. The FPPC may impose fines based on audit results. If there is any question not addressed in the manuals provided by the FPPC, it is imperative that candidates contact the FPPC toll free at (866) 275-3772 for clarification regarding campaign reporting and recordkeeping requirements. Additional information and forms are provided on the FPPC web site www.fppc.ca.gov/fppc.

Campaign Disclosure Statements

The Act requires that all state and local elected officeholders, candidates for state and local elected offices, and their controlled committees file campaign disclosure statements at specified intervals. Failure to file appropriate statements and reports in compliance with the Act can result in substantial criminal, civil and administrative penalties. Failure to file within the prescribed deadlines can lead to late filing penalties of \$10 for each day the statement is late. Except for deadlines that fall on a Saturday, Sunday, or official state holiday, the law does not allow for extensions of filing deadlines.

Filing Schedule For March 2, 2004 Primary

Filing Deadline	Type of Statement	Period Covered by Statement ¹	Method of Delivery
October 10, 2003	Pre-Election ²	1/1/03 - 9/30/03 or 7/1/03 - 9/30/03	Personal Delivery First Class Mail
January 10, 2004 ³	Semi-Annual	12/31/03 ¹	Personal Delivery First Class Mail
January 22, 2004	Pre-Election	1/01/04 – 1/17/04	Personal Delivery First Class Mail
February 19, 2004	Pre-Election	1/18/04 – 2/14/04	Personal Delivery First Class Mail
Within 24 Hours	Late Contributions ⁴ And Independent Expenditures of \$1,000 or More ⁵	2/15/04-3/1/04	Personal Delivery Telegram Guaranteed Overnight Service Fax
July 31, 2004 ³	Semi-Annual	2/15/04-6/30/04	Personal Delivery First Class Mail

Footnotes:

1. The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
2. Candidates are required to file the October 10 statement only if they have filed, by September 30, 2003, a Form 501 (Candidate Intention) in connection with the March 2, 2004 election.
3. Because January 10 and July 31, 2004, fall on a Saturday, these filing deadlines are extended to January 12 and August 2, 2004, respectively.
4. The recipient of a late in-kind contribution must file a late contribution report within 48 hours from the time the in-kind contribution is received.
5. A controlled committee of a candidate may not make an independent expenditure to support or oppose another candidate.

Additional Notes:

- If independent expenditures of \$1,000 or more are made in connection with the election, call the FPPC for guidance on filing special reports.
- There is no provision in the law for an extension of the filing deadline. Late statements are subject to a \$10 per day late fine.
- Refer to appropriate campaign disclosure manuals to determine where to file campaign statements.
- All statements are public documents.

As of the date of this publication (6/30), the 2003 Addendum to the FPPC Campaign Information Manuals A-E contains the most recent information on campaign disclosure requirements. Legislative amendments to the Political Reform Act may go into effect that will change information contained in the 2003

Addendum and this filing schedule. Be sure to check the FPPC web site (www.fppc.ca.gov) for updated information.

Conflicts Of Interest

This is an overview, using non-technical terms, of your obligations under the Political Reform Act's conflict-of-interest rules. It is intended to help you understand your obligations at the "big picture" level, and to guide you to more detailed resources.

Stripped of legal jargon, you have a conflict of interest with regard to a particular government decision if it is sufficiently likely that the outcome of the decision will have an important impact on your economic interests, and if the important impact on your economic interests is not also felt by a significant segment of the jurisdiction. The voters who enacted the Political Reform Act by ballot measure in 1974 judged such circumstances to be enough to influence, or to appear to others to influence, your judgment with regard to that decision.

Under rules adopted by the California Fair Political Practices Commission, deciding whether you have a financial conflict of interest under the Act is an eight-step process. If you methodically think through the steps whenever you think there may be a problem, you can avoid most, if not all, mistakes.

Public Official

Step One – Are you a "public official," within the meaning of the rules? If you file a Form 700 statement of economic interests each year, you are a "public official" under the Act.

Governmental Decision

Step Two – Are you making, participating in making, or influencing a governmental decision? The Act's conflict-of-interest rules apply when you:

Make a governmental decision (for example, by voting or making an appointment).

Participate in making a governmental decision (for example, by giving advice or making recommendations to the decision-maker).

Influence a governmental decision by communicating with the decision-maker.

A good rule of thumb is to ask yourself if you are exercising discretion or judgment with regard to the decision.

Economic Interests

Step Three – What are your economic interests? That is, what are the possible sources of a financial conflict of interest? There are six kinds of economic interests from which conflicts of interest can arise:

1. Personal Finances of public official or of his/her immediate family.
2. Business Investment: A business entity in which you, your spouse, your dependent children or anyone acting on your behalf has invested \$2,000 or more.
3. Business Employment or Management. A business entity for which you are a director, officer, partner, trustee, employee, or hold any position of management.
4. Real Property. Real property in which you or your spouse, your dependent children has invested \$2,000 or more.
5. Sources of Income. (Other than loans by a commercial lending institution) aggregating \$500 or more, received or promised to the official within 12 months prior to the time the decision is made. When thinking about sources of income, keep in mind that a person from whom your spouse receives income may also be a source of a conflict of interest to you. Also if you, or your spouse or your dependent children, own 10% or more of a business, you are considered to receive “pass-through” income from the business’s clients – in other words, the business’s clients may be considered sources of income to you.
6. Gifts and Loans. State and local officials and employees designated in a conflict of interest code are prohibited from receiving a gift or gifts totaling more than \$340 in a calendar year from certain sources. For elected state officials and many others, the prohibition is applicable to gifts from any source although there are exceptions (for example, gifts from family members). State and local public officials may not receive any personal loan aggregating more than \$250 from an official, employee, or consultant of, or from anyone who contracts with, their governmental agencies. Elected officials may not receive any personal loan aggregating more than \$500 from a single lender unless certain terms of the loan are specified in writing. Under certain circumstances, a personal loan that is not being repaid or is being repaid below certain amounts may become a gift to the official who received it. (Gov. Code Sections 87460-87462).

Personal Financial Effect. Your personal expenses, income, assets, or liabilities, as well as those of your immediate family are known as the “personal financial effects” rule. If these are likely to go up or down as a result of the governmental decision, then it has a “personal financial effect” on you.

On the statement of economic interests (Form 700) you file each year, you disclose many of the economic interests that could cause a conflict of interest for you. However, be aware that not all of the economic interests which may cause a conflict of interest are listed on the Form 700. A good example is your home. It is common for a personal

residence to be the economic interest that triggers a conflict of interest despite not being disclosed.

Step Four – Are your economic interests directly or indirectly involved in the governmental decision? An economic interest that is directly involved in a governmental decision creates a bigger risk of a conflict of interest than does an economic interest that is only indirectly involved in the decision. The FPCC's regulations distinguish between directly involved and indirectly involved economic interests.

Materiality

Step Five – What kinds of financial impacts on your economic interests are considered important enough to trigger a conflict of interest? You have a conflict of interest only if it is reasonably foreseeable that the governmental decision will have an important impact on your economic interests.

Remember these facts:

If the economic interest is directly involved in the governmental decision, the standard or threshold for deeming a financial impact to be material is stricter (i.e. lower). This is because an economic interest which is directly involved in a governmental decision presents a bigger conflict-of-interest risk for the public official who holds the interest.

If the economic interest is not directly involved, the materiality standard is more lenient because the indirectly involved interest presents a lesser danger of a conflict of interest.

There are different sets of standards for the different types of economic interests. That is, there is one set of materiality standards for business entities, another set for real property interests, etc.

The rules vary by the size and situation of the economic interest. For example, a \$20,000 impact resulting from a governmental decision may be crucial to a small business, but may be a drop in the bucket for a big corporation. Thus, the materiality standards distinguish between large and small businesses, between real property which is close or far from the property which is the subject of the decision, etc.

Does A Conflict Of Interest Result?

Step Six – The important question: Is it substantially likely that the governmental decision will result in one or more of the materiality standards being met for one or more of your economic interests? The heart of the matter is deciding whether it is sufficiently likely that the outcome of the decision will have an important impact on your economic interests.

Step six calls for a factual judgment, not necessarily a legal one. You must look at your economic interest and how it fits into the entire factual picture surrounding the decision.

“Public Generally” Exception

Step Seven – If you have a conflict of interest, does the “public generally” exception apply? Is the conflict of interest disqualifying? Not all conflicts of interest prevent you from lawfully taking part in the government decision at hand. Even if you otherwise have a conflict of interest, you are not disqualified from the decision if the “public generally” exception applies.

If you can show that a significant segment of your jurisdiction feels a financial impact which is substantially similar to the impact on your economic interest, then the exception applies.

The “public generally” exception must be considered with care. You may not just assume that it applies. There are specific rules for identifying the specific segments of the general population with which you may compare your economic interest, and specific rules for deciding whether the financial impact is “substantially similar.”

Legally Required Participation

Step Eight – Even if you have a disqualifying conflict of interest, is your participation legally required? In certain rare circumstances, you may be called upon to take part in a decision despite the fact that you have a disqualifying conflict of interest. This “legally required participation” rule applies only in certain very specific circumstances where your government agency would be paralyzed from acting. You are strongly encouraged to seek advice from your agency legal counsel or the FPPC before you act under this rule.

Conclusion

Don’t be afraid to ask for advice. It is available from your agency’s legal counsel and from the FPPC.

Politics In City Hall

SMC Sec. 2-900. Solicitation Of City Employees Or Officers:

No council member or candidate or any person acting on behalf of such council member or candidate shall knowingly solicit from any City employee or officer any endorsement or contribution of funds, goods or services for a council member or a candidate for City Council nor shall any such person knowingly solicit the attendance (whether "paid" or "complimentary") of any City employee or officer at any fundraising event held by or for a council member or candidate or at any event at which attendance by a City employee or officer may place or appear to place the employee or officer in a position adverse to the interests of the City of Stockton. No City employee or officer shall be rebuked or penalized in any manner for failure or refusal to provide an endorsement or contribution or to attend any such events nor shall any City employee or officer be rebuked or penalized in any manner for failure or refusal to encourage or allow endorsements, contributions or attendance at any such events by other City employees or officers. The prohibitions of this Section do not apply to solicitations or invitations posted, published or broadcast as general announcements of events in such manner that they may happen to be viewed or heard by City employees or officers, but do apply to oral or written solicitations directly made to individual City employees or officers. (Added by Ordinance 093-98C-S. Effective December 10, 1987)

SMC Sec. 2-901. Penalty:

Violation of this Part shall be punishable as a misdemeanor. A violation by a council member shall also constitute a violation of the rules of the Council of the City of Stockton. (Added by Ordinance 093-98C.S. Effective December 10, 1987)

General Intent And Definitions

EC Sec. 20400. Intent Of Legislature.

The Legislature declares that the purpose of this chapter is to encourage every candidate for public office in this state to subscribe to the Code of Fair Campaign Practices.

It is the ultimate intent of the Legislature that every candidate for public office in this state who subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play in order that, after vigorously contested, but fairly conducted campaigns, the citizens of this state may exercise their constitutional

right to vote, free from dishonest and unethical practices which tend to prevent the full and free expression of the will of the voters.

The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and to encourage candidates to discuss issues instead of untruths or distortions.

EC Sec. 20440. Subscription To Code of Fair Campaign Practices; Form.

At the time an individual is issued his or her declaration of candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, the elections official, shall give the individual a blank form of the Code and a copy of this chapter. The elections official shall inform each candidate for public office that subscription to the code is voluntary.

In the case of a committee making an independent expenditure as defined in Section 82031 of the Government Code, the Secretary of State shall provide a blank form and a copy of this chapter to the individual filing, in accordance with Title 9 (commencing with Section §81000) of the Government Code, an initial campaign statement on behalf of the committee.

EC Sec. 20442. Retention Of Forms; Public Inspection.

The elections official shall accept, at all times prior to the election, all completed forms that are properly subscribed to by a candidate for public office and shall retain them for public inspection until 30 days after the election.

EC Sec. 20443. Public Record

Every code subscribed to by a candidate for public office pursuant to this chapter is a public record open for public inspection.

Mass Mailing Requirements

Please pay strict attention to the following mass mailing requirements because your opponent probably will. You may be reported to the State FPPC for irregularities and fines may be imposed, as well as the media may publicize the violation.

Mass mailings are more than 200 substantially similar pieces of mail sent by an officeholder, candidate or committee within any calendar month. The sender of a mass mailing is the candidate or committee who pays for the largest portion of the mailing.

A copy of Section 84305 of the Government Code is being provided to each candidate as per requirements of Elections Code 16 as follows:

- a) Except as provided in subdivision (b), no candidate or committee shall send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of such mailing in no less than 6-point type which shall be in a color or print which contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the organization's address is a matter of public record with the Secretary of State.
- b) If the sender of the mass mailing is a single candidate or committee, the name, street, address, and city of the candidate or committee need only be shown on the outside of each piece of mail.
- c) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a).

NOTE: If two or more officeholders, candidates or committees pay an equal share of the cost of a mailing, it must identify at least one on the outside of the mailing, and all must be identified on the inside.

Exceptions

The following information is not required to be included in the sender ID:

Committee's identification number

Name of treasurer or printer

The words "paid for by"

Identification is not required under the Political Reform Act on these campaign items:

- Newspaper, television, or radio ads
- Campaign-related materials that are not sent through the mail such as handbills, bumper stickers, and door hangers.

Political Sign Regulations

Signs In Residential Zones

Under normal conditions, signs are not permitted in residential districts. However, Chapter 14 of the Uniform Sign Code does allow the placement of political signs in residential zones upon the filing of official papers for public office and/or when measures qualify for the ballot.

Signs In Commercial Zones

Signs that are permitted in commercial zones/districts by the Zoning Ordinance can advertise any political message. The City cannot regulate the contents of signs where they are permitted by right in the Zoning Ordinance.

Zoning information can be obtained from the Community Development Department, 937-8266, located at 345 N. El Dorado Street, Stockton.

The regulations from the Stockton Municipal Code pertaining to political signs are as follows:

SMC SEC. 14-609. EXEMPTIONS:

Section 1405 shall be added to the Uniform Sign Code and it shall read:

"Exemptions: The provisions of this Chapter shall not apply to any temporary display advertisement for any patriotic, fraternal, civic, charitable or educational institution or event, in which case such display or advertisement shall be suspended or placed safely and securely to the satisfaction of the Director of Community Development who shall issue a permit therefor not to exceed thirty (30) days duration. No fee shall be charged for the permit mentioned in this Subsection."

SMC SEC. 14-610. POLITICAL SIGNS:*

Notwithstanding any other provision of this Code, Chapter 14 of the Uniform Sign Code regulating temporary signs shall not apply to political signs; further, political signs are hereby permitted in any zone without prior approval of the Community Development Departments Building Division pursuant to the provisions of this Chapter.

SMC SEC. 14-610.1. DEFINITION:

"Political sign" shall mean any sign which is designed to influence the action of the voters for the passage or defeat of a measure appearing in the ballot at any national, State or local election, or which is designed to influence the action of the voters for the election or defeat of a candidate for nomination or election to any public office at any national, State or local election.

SMC SEC. 14-610.2. IDENTIFICATION:

Every political sign shall contain the name, address and telephone number of a contact person who can be contacted regarding removal of the sign.

SMC SEC. 14-610.3. TIME PERIOD:

No political sign shall be erected or maintained by or on behalf of a candidate prior to his/her filing of official papers for public office. All political signs shall be removed within seven (7) days after the election. In case of a successful candidate in a primary election, said signs shall be removed seven (7) days after the general or runoff election. With respect to ballot measures, no political sign shall be erected or maintained prior to the qualification of a measure for the ballot, and shall be removed seven (7) days after the election. (Note: The candidate is responsible for removing political signs. If the City must remove signs, the sign owner will be liable for the cost of said removal.)

SMC SEC. 14-610.4. PROHIBITED ON PUBLIC PROPERTY:

No political sign shall be erected or maintained upon a public street, alley, sidewalk, right-of-way, easement or other public property or property dedicated to a public purpose, except that signs attached to a private wall, fence or building may project over such area a distance no greater than six inches (6").

SMC SEC. 14-610.5. ENFORCEMENT:

Violations of these Code sections dealing with political signs shall be enforced pursuant to Section 5-130 et seq.

Note: In previous elections, there have been many complaints of signs that were affixed to fences and placed in vacant lots without the permission of the owner. Approval of the property owner is required **prior** to installation of any signs.

Sign Prohibitions

SMC Sec. 5-130. Signs On Public Property Unlawful:

It shall be unlawful and a misdemeanor for any person, firm or corporation, except a public officer or employee in the performance of a public duty, to place, paint, erect or maintain any sign on any public property or within any public right-of-way within the City of Stockton, including, but not limited to, affixing any sign to any traffic device, utility pole or wire, streetlight, fire hydrant, bridge, fence, tree, bus bench, or any other object located within said public right-of-way. (Note: Do not nail signs to public trees.)

SMC Sec. 5-130.1. Public Nuisance:

Any sign violating any of the provisions of this Section is hereby declared to be and is a public nuisance.

SMC Sec. 5-130.2. Enforcement:

Any sign which is in violation of Section 5-130 may be removed and destroyed. Fines may be assessed through the Administrative Citation process found in Sections 1-053 through 1-059. There is a rebuttable presumption that the person, firm or corporation whose name, address or phone number is on the sign authorized, permitted, directed or approved the illegal posting of the sign on public property and shall be the responsible person for the purpose of imposing fines.

Handbill Regulations

SMC Sec. 5-136.1. Littering Streets And Public Places:

IT SHALL BE UNLAWFUL AND AN INFRACTION:

For any person to place, throw or deposit any commercial or non-commercial handbill, flyer, or advertisement in or upon any sidewalk, street, mall, or other public place within the City; provided, however, that it is not unlawful upon any sidewalk, street, mall, or other public place within the City for any person to hand out or distribute, without charge to the receiver thereof, any commercial or non-commercial handbill to any person willing to accept it.

SMC Sec. 5-136.2. Placing Commercial Or Non-Commercial Handbills On Vehicles:

For any person to throw or deposit any commercial or non-commercial handbill or advertisement in or upon any vehicle which is parked upon a public street, or upon a parking lot open to the public where appropriate signs are posted prohibiting deposit of such handbills; provided, however, that it shall not be unlawful upon any public street or in any parking lot open to the public for a person to hand out or distribute without charge to the receiver any commercial or non-commercial handbill or advertisement to any occupant of any vehicle who is willing to accept it.

Regulations For Use Of Soundtrucks

SMC Sec. 5-095. Advertising By Means Of Loud Speakers, Etc. - Restricted:

It shall be unlawful for any person or persons to engage in advertising, or attracting attention to the existence or location of his place of business, by means of sound emitted through a loud speaker, sound amplifier, musical instrument, phonograph, radio speaker, or similar device located within the City of Stockton and not on a vehicle or airplane.

SMC Sec. 5-096. Advertising Not Unlawful If In Compliance With Regulations:

Provided that such activity is not unlawful if in conformance with the following regulations:

- (a) The only sounds permitted are music or human speech;
- (b) Human speech amplified by the sound device shall not be lewd, indecent nor slanderous nor shall it be specifically addressed to individual pedestrians or motorists as distinguished from the public in general;
- (c) The volume of the sound shall be controlled so that it is not audible for a distance in excess of fifty (50) feet;
- (d) Sound shall be issued from one (1) loudspeaker or similar device only.

SMC Sec. 5-096.1. Prima Facie Evidence Of Non-Compliance With Regulations:

The operation of any such sound amplifying device in such a manner as to be audible at any distance in excess of fifty (50) feet from the place of business in which it is located shall be prima facie evidence of and a rebuttal presumption of an intent of advertising or attracting attention to the existence or location of the place of business.

SMC Sec. 5-097. Facilities To Engage In Loud Speaker Advertising - Restricted:

It shall be unlawful for any person or persons to provide the facilities for his employees to engage in advertising, or attracting attention to the existence or location of his place of business, by means of sound emitted through a loud speaker, sound amplifier, musical instrument, phonograph, radio speaker, or similar device located within the City of Stockton and not on a vehicle or airplane; provided that it is not unlawful if the activity by the employee or employees conform to the regulations set forth in Section 5-096 hereof.

Miscellaneous Election Information

Sample Ballots


Between January 22, 2004, and February 21, 2004, the Registrar of Voters will mail a sample ballot to each voter entitled to vote in the March 2, 2004 election.

Voter Registration

February 17, 2004 is the last day to register to vote in the March 2, 2004 election.

Application for an absent voter's ballot shall be made in writing to the Registrar of Voters between February 2, 2004 and February 24, 2004. Additional absent voter information may be obtained through the San Joaquin County Registrar of Voters at (209) 468-2885.

Voter Registration Forms

Available in the City Clerk's Office and in the San Joaquin County Registrar of Voters Office. The forms are also available from the San Joaquin County Registrar of Voters website: voteab.htm">http://www.co.san-joaquin.ca.us/elvoteab.htm

Council District Maps

May be purchased from the City Clerk's Office. The cost for a small map is \$6.30. The large map is \$12.30

Map With Precinct Lines

Maps may be purchased from the San Joaquin County Registrar of Voters Office. The cost of the maps is \$20 each.

San Joaquin County Registrar Of Voters

The Registrar's office is located at 212 N. San Joaquin Street, Stockton. To confirm availability of the Index of Voter Registration, please call the Registrar's office at 468-2890.

Assistance Regarding Reporting Obligations

Candidates with questions regarding reporting obligations under the Political Reform Act are encouraged to call the Fair Political Practices Commission (FPPC) toll free at (866) 275-3772 in Sacramento for assistance.

Sharing Information On-Line

The League of Women Voters of San Joaquin County (209) 465-0293, is offering an opportunity to all candidates to spread the word about their campaigns by using Smart Voter, a comprehensive online election guide. This is a free service provided for you to share information about yourself with voters, and for the public to learn more about you and your positions.

You may view the site at www.smartvoter.org. You may participate in Smart Voter by entering your candidate information online at www.smartvoter.org/candidate:

Log on to the Internet and go to www.smartvoter.org/candidate.

Enter your name on the form, just as you registered with the Registrar of Voters.

You will be prompted for an e-mail address. This information is necessary to issue you a password. Enter the e-mail address of the person who will be responsible for entering candidate information. A password will be sent immediately in a message to the e-mail address entered. Keep it in a safe place as you will need it to make changes to your information later. You may make revisions until 8 PM PST, Monday, March 4, 2002. If you do not have an e-mail address, please contact your Smart Voter coordinator at (209) 465-0293 or lwvsjc@aol.com.

After receiving your password, continue with the directions to fill in the form.

- Campaign contact information (required).
- Biographical highlights (minimum of 2 required).
- Top three priorities (required).
- Endorsements (optional).
- Political philosophy (optional).
- Position papers (optional, maximum of three).
- Photograph (optional).
- Only information about you, the candidate, will be accepted. Information referring to an opponent will not be accepted. As the registrar says, do not make any false, slanderous, or libelous statements. Word limits apply and vary for each section. These are noted on the web form.



Check your information. You and/or your contact person should check that your information appears correctly on www.smartvoter.org. Your information will be available to the public in early February. Please enter your information as soon as possible. This enables the news media and community to easily contact you.

A black & white or color photograph is optional. To submit one, mark your name, the office you are seeking, county and state of residence on the back. We will only accept "head shots" of the candidate. We reserve the right to crop and resize if necessary. Photos will not be returned. Please send to: League of Women Voters – Smart Voter:

468 Hillside Drive
Santa Rosa, CA 95409-6126

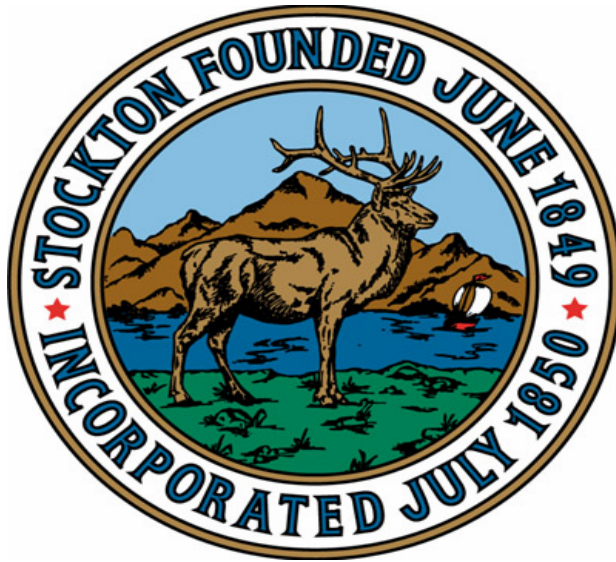
See the web form at www.smartvoter.org/candidate for instructions for submitting a photo electronically.

For more information about Smart Voter, go to www.smartvoter.org and find "Candidate FAQ's".

Contact Information

Stockton City Clerk 425 N El Dorado Street Stockton CA 95202	Phone: (209) 937-8459 FAX: (209) 937-8447 Internet: www.stocktongov.com/clerk/elctn-pg.htm E-Mail: clerk@ci.stockton.ca.us
City of Stockton Access to Stockton City Municipal Code.	Internet: http://www.stocktongov.com/clerk/pages/NominationElections.htm
San Joaquin County Registrar of Voters 212 N San Joaquin Street Stockton CA 95202	Phone: (209) 468-2885 FAX: (209) 468-9534 Internet: www.co.san-joaquin.ca.us
San Joaquin County District Attorney 222 E Weber Ave, Rm 202 Stockton, CA 95202	Phone: (209) 468-2400
Fair Political Practices Commission 428 J Street, Suite 450 PO Box 807 Sacramento CA 95812-0807	Technical Assistance Div (866) 275-3772 Toll Free To Report a Violation: (800) 561-1861 Toll Free FAX: (916) 322-0883 Fax-on-demand system: (888) 622-1151 Internet: www.fppc.ca.gov
Secretary of State 1500 11 th Street, Room 495 PO Box 1467 Sacramento CA 95812-1467	Political Reform Division: (916) 653-6224 FAX: (916) 653-5045 Internet: www.ss.ca.gov
State Attorney General Brown Act Requirements	Phone: (800) 952-5225 Internet: http://www.caag.state.ca.us/www.caag.state.ca.us E-Mail: PIU@DOJ.ca.gov
State Franchise Tax Board 31 E Channel Street Stockton CA 95202	Phone: (800) 338-0505 Internet: www.FTB.ca.gov
Federal Elections Commission	Phone: (800) 424-9530 Toll Free
Internal Revenue Service	Phone: (800) 829-1040 Toll Free

**CANDIDATE'S SUPPLEMENTAL
INFORMATION MANUAL**
for those participating in the
General Municipal Election
November 2, 2004



CITY OF STOCKTON
Incorporated in 1850




RUNOFF CANDIDATES – NOVEMBER 2, 2004 ELECTION

Supplemental Information Manual

This supplement to the Candidates' Information Manual contains specific information regarding the election process for candidates in the General Municipal Election of November 2, 2004. Please review the information provided carefully.

You may submit a Candidate's Statement of Qualifications to be printed in the November 2, 2004 sample ballot pamphlet. Should you decide to have the primary election statement reprinted or to have a new statement printed in the general election voter pamphlet, the statement and payment for printing must be submitted to the City Clerk by August 11, 2004.

Ballot designations may be changed by submitting a written request to the City Clerk indicating the new ballot designation by July 27, 2004. Please refer to your original Candidate's Manual for ballot designation provisions.

Provisions for filing the Candidate's Statements of Qualifications, ballot designation and campaign disclosure statements are established by the State of California Elections Code and the Political Reform Act. If you have any questions regarding the information provided  this Supplemental, please call either Assistant City Clerk Karen Rosson at 937-7121, or City Clerk Katherine Gong Meissner at 937-8458.



Candidate's Statement Of Qualifications

GENERAL MUNICIPAL ELECTION
NOVEMBER 2, 2004

Estimated Cost for Printing - \$3,320

The cost of printing is estimated to be \$3,320 for English/Spanish printing. The San Joaquin County Registrar estimates the statement printing costs. Should the deposited amount exceed the actual costs, a refund will be processed as soon as the actual costs are known. Payment for the statement printing should be made by check to the City of Stockton and submitted to the City Clerk.

Payment For Candidate's Statement

Payment for printing the statement must be made at the time the candidate's statement is filed with the City Clerk.

Filing Deadline—August 6, 2004

The Candidate's Statement of Qualifications is optional. The purpose of a candidate's statement is to acquaint the voters with the candidate. If you wish to have a candidate's statement printed in the voter's pamphlet, the statement must be submitted to the City Clerk by August 6, 2004 by 5:00 PM on a form provided by the City Clerk. The statement may contain the name, age and occupation of the candidate and a brief description of the candidate's education and qualifications expressed by the candidate.

Preparation Of The Candidate's Statement

See "Statement of Qualifications" in the Candidate's Handbook.

Candidate's Intention

Each candidate should indicate on the bottom of the Candidate's Statement form his/her intention to file or not to file a statement. After completion of the form, the signed form should be returned to the City Clerk even if the candidate elects not to have a statement printed in the sample ballot.

Withdrawal

The wording of the statement can not be changed after it is filed. It may be withdrawn up to 5:00 p.m. of the next working day after the deadline for submitting the statement to the Clerk. The deadline for submitting the statement to the City Clerk is August 6, 2004. The deadline for withdrawing the statement is August 9, 2004, 5:00 p.m.

Changes To The Statement

The statement cannot be changed once it is submitted, nor can it be edited by the City Clerk, Registrar or printer. Please take time to proofread your statement carefully to avoid embarrassing errors. If, however, the statement does not comply with the uniform standard established by the Registrar of Voters' and the California Election Code, the statement will be modified by the Registrar to comply with the standard to the extent the law allows.

Ballot Designation, Changes

GENERAL MUNICIPAL ELECTION
NOVEMBER 2, 2004

Filing Deadline—July 27, 2004

The ballot designation will remain the same as printed in the voter pamphlet of the Primary Municipal Election unless the candidate requests a different designation in writing by July 27, 2004.

Candidate ballot designations are governed by State of California Election Code Section 13107. A guide for selecting ballot designations as prepared by the Office of the Secretary of State is available upon request.

Campaign Disclosure Statement Filing Schedule

GENERAL MUNICIPAL ELECTION - NOVEMBER 2, 2004

The following schedule has been provided by the State of California Fair Political Practices Commission. The schedule is also included and filing requirements explained in the Campaign Disclosure Information Manual A prepared by the FPPC. This manual was previously provided to each candidate. If you require an additional copy of the manual, one will be provided upon request.

Filing Deadline	Type of Statement	Period Covered by Statement ¹	Method of Delivery
October 5, 2004	Pre-election	01/01/04 – 09-30-04 or 07/01/04 - 09/30/04	<ul style="list-style-type: none"> • Personal Delivery • First Class Mail
October 21, 2004	Pre-election	10/01/04 - 10/16/04	<ul style="list-style-type: none"> • Personal Delivery • First Class Mail
Within 24 hrs of making or receiving	Late Contributions ² and Independent Expenditures of \$1,000 or more ³	10/17/04 - 11/01/04	<ul style="list-style-type: none"> • Personal Delivery • Telegram • Fax • Guaranteed Overnight Service
January 31, 2005	Semi-Annual	10/17/04 - 12/31/04	<ul style="list-style-type: none"> • Personal Delivery • First Class Mail

Candidates and committees will be notified in advance of the filing deadline

Footnotes:

¹ The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.

² The recipient of a late in-kind contribution must file a late contribution report within 48 hours from the time the in-kind contribution is received.

³ A controlled committee of a candidate may not make an independent expenditure to support or oppose another candidate.

Additional Notes:

- If independent expenditures of \$1,000 or more are made in connection with the election, call the FPPC for guidance on filing special reports.
- There is no provision in the law for an extension of the filing deadline. Late statements are subject to a \$10 per day late fine.
- Refer to appropriate campaign disclosure manuals to determine where to file campaign statements.
- All statements are public documents.

As of the date of this publication (6/30), the 2003 Addendum to the FPPC Campaign Information Manuals A-E contains the most recent information on campaign disclosure requirements. Legislative amendments to the Political Reform Act may go into effect that will change information contained in the 2003

Addendum and this filing schedule. Be sure to check the FPPC web site (www.fppc.ca.gov) for updated information.

Exhibits (Samples of Forms)

Exhibit A - Form 501, Candidate Intention Statement

Exhibit B - Form 410, Statement of Organization

Exhibit C-1 - Form 460, Recipient Committee Campaign Statement

Exhibit C-2 – Form 470, Officeholder and Candidate Campaign Statement Short
Form

Exhibit D - Nomination Paper

Exhibit E - Declaration of Circulator, Affidavit of Nominee & Oath or Affirmation of
Allegiance

Exhibit F - Certificate of Residency

Exhibit G - Candidate's Statement of Qualifications Form

Exhibit H - Form 700, Statement of Economic Interests

Exhibit I - Candidate's Public Information Resume Form

Exhibit J - Code of Fair Campaign Practices Form

Who Files:

A candidate for state or local office must file this form prior to solicitation or receipt of any contribution, or expenditure of any personal funds used for the election.

You must file a separate Form 501 for each election, including reelection to the same office.

Exception: This form is not required if you will not solicit or receive contributions from other persons and the only expenditures will be from your personal funds used for the filing fee and/or statement of qualifications in the sample ballot or ballot pamphlet.

Where to File:

File with the filing officer who will receive your original campaign disclosure statements.

State Candidates:

Secretary of State
Political Reform Division
1500 11th Street, Room 495
Sacramento, CA 95833

Local Candidates:

Generally your county election officer or city clerk.

When to File:

File the Form 501 before you solicit or receive any contributions or before you make expenditures from personal funds on behalf of your candidacy. This form is considered filed the date it is postmarked or hand delivered.

How to Complete:

All candidates: Complete Parts 1 and 3.

Candidates for elective state office: Complete Parts 1, 2, and 3.

Exception: Candidates for any election to the State Public Employees Retirement Board do not complete Part 2.

Part 1. Candidate Information

- Enter your name and street address.
- Enter the title of the office sought (age, name and district number if any (e.g., City Council member, City of Oakland, Dist. 5), and political party affiliation (if seeking a partisan office).
- Check the appropriate box regarding the office's jurisdiction.

Part 2. Voluntary Expenditure Ceiling

This section applies to certain candidates for elective state offices, including State Senate and Assembly and statewide offices.

A voluntary expenditure ceiling applicable to your office is set forth in FPPC Regulation 18545 and is published on the FPPC web site (www.fppc.ca.gov). You must state whether you accept or reject the expenditure ceiling. You may not amend this form except under the following circumstances:

Subsequent Election When Ceiling not Exceeded:

If you reject the voluntary expenditure ceiling in the primary or special election but do not exceed the ceiling, you may accept the expenditure ceiling for

a subsequent general or special run-off election and receive all the benefits accompanying such an agreement. To do so, you must file an amended Form 501 within 14 days following the primary or special election.

Personal Funds Notification:

You must disclose, if applicable, the date you contribute personal funds to your own campaign that exceed the expenditure ceiling. File an amended Form 501 within 24 hours by guaranteed overnight delivery or personal delivery.

Part 3. Verification

Sign and date the form in ink. An unsigned statement is not considered filed.

See the Information Manual on Campaign Disclosure (available from your filing officer or the FPPC) for additional information and information required to be provided to you pursuant to the Information Practices Act of 1977.

This form was prepared by the Fair Political Practices Commission (FPPC). Copies of FPPC forms and informational materials are also available on the FPPC web site (www.fppc.ca.gov).

Recipient Committee:

A recipient committee is any individual (including an officeholder or a candidate), group of individuals, organization, or any other entity that receives contributions totaling \$1,000 or more during a calendar year.

The term "contribution" includes monetary payments, loans and non-monetary goods or services.

Candidates:

The personal funds of a candidate or officeholder used in connection with seeking or holding elective office are contributions and are counted toward qualifying as a recipient committee. However, personal funds used to pay a candidate filing fee or a fee for the statement of qualifications to appear in the ballot pamphlet are not counted toward the \$1,000 threshold.

When to File:

File the Form 410 within 10 days of receiving \$1,000 in contributions. The date the form is postmarked is the date it is considered filed.

A recipient committee qualifying during the 16 days prior to an election in which it must file pre-election statements must file a Form 410 (or the information required on a Form 410) by telegram or personal delivery within 24 hours of qualification with the filing officer who will receive the committee's original disclosure statements. A Form 410 must also be filed with the Secretary of State within 10 days.

A recipient committee qualifying during the 16 days prior to an election in which the committee makes independent expenditures of \$1,000 or more to

support or oppose a candidate in that election must file the Form 410 (or the information contained on the Form 410) within 24 hours of qualification with the filing officer who will receive the committee's original disclosure statements and with the filing officer(s) for the candidate(s) supported or opposed by the independent expenditure. These filings must be made by fax, telegram, personal delivery or online (if online filing is available).

Where to File:

All Committees:

Original & one copy Secretary of State
Political Form Division
100111th Street, Rm 100
Sacramento, CA 95814

County & City Committees:

One copy Local filing officer who will receive the original disclosure statements.

You will receive written notification from the Secretary of State's office assigning an identification number to your committee. (Identification numbers are also posted on the Secretary of State's web site at www.ss.ca.gov.)

Amending:

Except for the "24-hour" amendment noted below, an amendment is due to the Secretary of State and local filing officer (if applicable) within 10 days from the date of any change to the information contained on the Form 410.

24-Hour Amendment:

If, during the 16 days prior to an election when a committee is required to file pre-election statements, a change occurs in the name of the committee, the treasurer or other principal officers; or the controlling candidate, an amendment must be filed with the filing officer receiving the committee's original campaign statements within 24 hours of the change. The amendment must be filed by fax, online transmission, telegram or personal delivery. If the Secretary of State is not the filing officer for the committee's original campaign statements, the amended Form 410 must also be filed with the Secretary of State within 10 days as stated above.

Terminating:

All recipient committees must file disclosure statements until the termination requirements are met and the Form 410 Termination has been filed. See Part 5.

See the [Information Manual for Campaign Disclosure](#) for additional information and information required to be provided to you pursuant to the Information Practices Act of 1977.

This form was prepared by the Fair Political Practices Commission (FPPC). Copies of FPPC forms and informational materials are also available on the FPPC web site (www.fppc.ca.gov).

The Form 460 is for use by ALL recipient committees, including:

Candidates, Officeholders and Their Controlled Committees

- A candidate or officeholder who has a controlled committee, or who has raised or spent or will raise or spend \$1,000 or more during a calendar year in connection with election to office or holding office. The Form 460 is also required if \$1,000 or more will be raised or spent during the calendar year at the behest of the officeholder or candidate.

Ballot Measure Committees

- A person, entity, or organization that receives contributions totaling \$1,000 or more during a calendar year for the primary purpose of supporting or opposing the qualification, passage or defeat of one or more ballot measures.

Primarily Formed Candidate/Officeholder Committees

- A person, entity, or organization that receives contributions totaling \$1,000 or more during a calendar year to support or oppose a single candidate or officeholder, or two or more candidates or officeholders who are being voted upon in the same city, county, or multi-county election. This type of committee is not controlled by the candidate(s) or officeholder(s).

General Purpose Committees

- A person, entity, or organization that receives contributions totaling \$1,000 or more during a calendar year to support or oppose various candidates and measures (e.g., political parties, political action committees).

Non-controlled committees that do not receive contributions, loans, or miscellaneous receipts totaling \$100 or more from a single source during a calendar year may use Form 450, Recipient Committee Campaign Statement (Short Form).

Use the Form 460 to file any of the following:

- Preelection Statement
- Semi-annual Statement
- Quarterly Statement
- Special Odd-Year Report
- Supplemental Preelection Statement
- Termination Statement
- Amendment to a previously filed statement

For information on when and where to file statements, recordkeeping requirements, prohibitions and more, refer to the FPPC Campaign Disclosure Manual for your type of committee (available from your filing officer or the FPPC). Also see the manual for information required to be provided to you pursuant to the Information Practices Act of 1977. (See reverse for general guidance on where to file this form.)

New Requirements: Proposition 34 was passed by the voters in November 2000. State contribution limits are now in effect for candidates for State Senate and Assembly. Contributions received by committees for the purpose of making contributions to candidates for elective state office are also subject to limits. Candidates for statewide elective office are affected beginning 11/6/02. New reporting requirements and restrictions also apply.

Some provisions of Proposition 34 also affect local candidates. Detailed information about Proposition 34 is available on the FPPC website (www.fppc.ca.gov).

Other reporting changes enacted in 2000 have also been incorporated into the June/01 version of the Form 460.

This form was prepared by the Fair Political Practices Commission (FPPC). Copies of FPPC forms and informational materials are also available on the FPPC website (www.fppc.ca.gov).

**Officeholder and Candidate
Campaign Statement —
Short Form
- AND -
Form 470 Supplement**

**CALIFORNIA
FORM 470**

Who Uses Form 470:

Form 470 is for use by officeholders and candidates who:

- do not have a controlled committee;
- do not anticipate receiving contributions totaling \$1,000 or more during the calendar year; and
- do not anticipate spending \$1,000 or more during the calendar year.

Officeholders whose salaries are less than \$200 per month, judges, and judicial candidates should refer to Manual A to determine their filing obligations.

Officeholders and candidates who have a controlled committee or who have raised or spent \$1,000 or more or anticipate raising or spending \$1,000 or more during the calendar year must file the Recipient Committee Statement (Form 460).

Period Covered:

The period covered is always the calendar year (January 1 through December 31).

\$1,000 Threshold:

To determine if \$1,000 has been raised or spent, or will be raised or spent, the candidate's personal funds for the filing fee or statement of qualifications are excluded.

If the Form 470 is filed by an officeholder or candidate with a declaration of candidacy, or on or before the filing deadline for the first campaign statement required for the current calendar year, no additional campaign statements need be filed for

that calendar year as long as total contributions received remain less than \$1,000 and total expenditures made remain less than \$1,000. In most cases, July 31 is the filing deadline for the first campaign statement required to be filed by officeholders and candidates not being voted upon.

Amendments: If you are filing an amendment to a previously filed statement, give a brief explanation of the amendment. Be sure to enter the calendar year covered by the statement you are amending and the date of election, if applicable.

Form 470 Supplement

An officeholder or candidate who has filed Form 470 in connection with an election and subsequently receives contributions (including monetary and non-monetary contributions, loans, and the candidate's personal funds) totaling \$1,000 or more or makes expenditures totaling \$1,000 or more prior to the election, is required to send written notification. The notification must be sent within 48-hours of receiving contributions totaling \$1,000 or more or making expenditures of \$1,000 or more. The notification must include the name and address of the candidate, the elective office, and the date of election for which the Form 470 was filed and the date contributions or expenditures totaling \$1,000 or more were received or made. The Form 470 Supplement may be used as the written notification.

For information on when and where to file statements, recordkeeping requirements, prohibitions, and more, refer to the FPPC Information Manual on Campaign Disclosure Provisions (available from your filing officer or the FPPC). Also see the manual for information required to be provided to you pursuant to the Information Practices Act of 1977.

Copies of FPPC forms and informational materials are also available on the FPPC website (www.fppc.ca.gov).

This form was prepared by the Fair Political Practices Commission (FPPC).

NOMINATION PAPER

OFFICIAL FILING FORM	
City Clerk or Deputy City Clerk	
Date	

We, the undersigned voters, hereby nominate _____
 for the office of _____
 for the City of _____
 to be voted for at the _____ Election
 to be held on Tuesday, _____

	Sign Name	Residence Address	For Official Use
1	_____ Print Name	_____	
2	_____ Print Name	_____	
3	_____ Print Name	_____	
4	_____ Print Name	_____	
5	_____ Print Name	_____	
6	_____ Print Name	_____	
7	_____ Print Name	_____	
8	_____ Print Name	_____	
9	_____ Print Name	_____	
10	_____ Print Name	_____	

DECLARATION OF CIRCULATOR

(Do not type this section. It **MUST** be filled out in your own handwriting.)

I, _____, residing at _____, circulated the petition and witnessed the appended signatures being written. That according to the best information and belief each signature is the genuine signature of the person whose name it purports to be.

The signatures were obtained between _____, _____, and _____.

I certify (or declare) under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed by me at _____, on _____.

(Signature of Circulator)

AFFIDAVIT OF NOMINEE AND OATH OR AFFIRMATION OF ALLEGIANCE

State of California }
County of _____ } ss.

(Print Name of Nominee)

being duly sworn, says that he or she is the
above-named nominee for the office of: _____

(Print Name of Office)

that he or she will accept the office in the event of his or her election;
that he or she desires his or her name to appear on the ballot as follows: _____

Name & Occupation as it will appear on Official Ballot & in Voter Pamphlet:

(Print name in ALL CAPS as it is to appear above)

and that he or she desires the following designation
to appear on the ballot under his or her name: _____

(Print designation in Caps and lowercase above)*

I, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

(Signature of Candidate)

Subscribed and Sworn to Before Me on _____.

(Notary Public or other official)

Address of Candidate: _____

Phone No. & Fax No. where candidate can be reached during daytime hours: _____

* At the option of the candidate, **ONLY ONE** of the following designations may be used:

1. Words designating the elective city, county, district, state or federal office which the candidate holds at the time of filing the nomination papers to which he or she was elected by vote of the people, or to which he or she was appointed, in the case of a superior or municipal court judge.
2. The word "Incumbent" if the candidate is a candidate for the same office which he or she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people, or in the case of a superior or municipal court judge, was appointed to that office.
3. No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. For purposes of this section, all California geographical names shall be considered to be one word. Hyphenated words that appear in any generally available standard reference dictionary, published in the U.S. at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word. The use of the word "Retired" by itself or as a prefix is acceptable, but not after any other word or words (e.g. "Retired" and "Retired Army Officer" is permissible; "U.S.M.C., Retired" is not).
4. The phrase "Appointed Incumbent" if the candidate holds office by virtue of appointment, but may not use the unmodified word "Incumbent".

No candidate shall assume a designation which would mislead the voters.

Any person registered to vote at the election may circulate a nomination paper. A candidate may sign his or her own nomination paper.

(See Section 13107, Elections Code)

EXHIBIT E

CERTIFICATE OF RESIDENCY
CITY OF STOCKTON, CALIFORNIA

State of California)
)
County of San Joaquin) : ss

I, _____, declare as follows:

That I reside at (address) _____
in Stockton, California; that I am a citizen of the United States of America; that I am now
and have been a resident and qualified elector in Council District No. _____, for 30
days preceding _____, _____, the date I filed my
nomination papers.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: _____

Candidate

EXHIBIT F

CANDIDATE'S STATEMENT FORM for Jurisdiction: _____

In the space below **PLEASE TYPE** in Capital and lower case letters

a brief description of no more than 250 words, of the candidate's education and qualifications.

Enter the title of the Office for which the person is a candidate under the word "FOR" below, and enter the candidates' name in all CAPS above the word "Age".

FOR

(title of office):

(name)

Age:

Occupation:

Sample

/ s /

☐

Check here if statement continues on 2nd sheet

I DO want my candidate statement in the following languages in the Voter Pamphlet: English _____ Spanish: _____ Other: _____

Signature of Candidate: _____ Other: _____

Print Name of Candidate: _____ Other: _____

____ I DO NOT want a candidate statement to appear in the Voter Pamphlet. Signature of Candidate: _____

CLERK: Keep original statement for your files, make one copy for the printer, make one copy for the candidate, make one or more copies for the translator(s) if necessary.

EXHIBIT G

COVER PAGE

A Public Document

Please type or print in ink

NAME (LAST)	(FIRST)	(MIDDLE)	DAYTIME TELEPHONE NUMBER
			()
MAILING ADDRESS (May be business address)	STREET	CITY	ZIP CODE
			OPTIONAL FAX / E-MAIL ADDRESS

1. Office, Agency or Court

Name: _____

Division, Board, District, if applicable: _____

Position: _____

➔ If filing for multiple positions, list additional agency(ies)/ position(s): (Attach a separate sheet if necessary.)

Agency: _____

Position: _____

2. Jurisdiction of Office (Check at least one box)

☐ State

☐ County of _____

☐ City of _____

☐ Multi-County _____

☐ Other _____

3. Type of Statement (Check at least one box)

☐ Assuming Office/Initial Date: ____/____/____

☐ Annual: The period covered is January 1, 2002, through December 31, 2002.

-or-

☐ The period covered is ____/____/____, through December 31, 2002.

☐ Leaving Office Date Left: ____/____/____ (Check one)

☐ The period covered is January 1, 2002, through the date of leaving office.

-or-

☐ The period covered is ____/____/____, through the date of leaving office.

☐ Candidate

4. Schedule Summary

(Check applicable schedules or "No reportable interests.")

➔ During the reporting period, did you have any reportable interests to disclose on:

Schedule A-1 ☐ Yes – schedule attached

Investments (Less than 10% Ownership)

Schedule A-2 ☐ Yes – schedule attached

Investments (10% or greater Ownership)

Schedule B ☐ Yes – schedule attached

Real Property

Schedule C ☐ Yes – schedule attached

Income & Business Positions (Income Other than Loans, Gifts, and Travel)

Schedule D ☐ Yes – schedule attached

Income – Loans

Schedule E ☐ Yes – schedule attached

Income – Gifts

Schedule F ☐ Yes – schedule attached

Income – Travel Payments

-or-

➔ ☐ No reportable interests on any schedule

Total number of pages completed including this cover page: _____

5. Verification

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed _____ (month, day, year)

Signature _____ (File the originally signed statement with your filing official.)

CITY OF STOCKTON
CANDIDATE PUBLIC INFORMATION RESUME

Candidate for the Office of _____ District _____
Name _____ Age _____
Residence Address _____ Phone _____

Business Address _____

Present Occupation _____

Name of Employer _____

Address of Employer _____

Previous Occupation(s) _____

Education _____

Other offices/affiliations _____

Registered Voter? _____ Yes _____ No

Completion of this form is voluntary. It is made available to the public, the newspaper and other media in response to inquiries about candidates.

Date: _____

Candidate's Signature

EXHIBIT I

CODE OF FAIR CAMPAIGN PRACTICES

(Division 20, Chapter 5, Elections Code.)

Chapter 5. Fair Campaign Practices

Article 1. General Intent

20400. The Legislature declares that the purpose of this chapter is to encourage every candidate for public office in this state to subscribe to the Code of Fair Campaign Practices.

It is the ultimate intent of the Legislature that every candidate for public office in this state who subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play in order that, after vigorously contested, but fairly conducted campaigns, the citizens of this state may exercise their constitutional right to vote, free from dishonest and unethical practices which tend to prevent the full and free expression of the will of the voters.

The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and to encourage candidates to discuss issues instead of untruths or distortions.

Article 2. Definitions

20420. As used in this chapter "Code" means the Code of Fair Campaign Practices.

Article 3. Code of Fair Campaign Practices

20440. At the time an individual is issued his or her declaration of candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, the elections official, shall give the individual a blank form of the code and a copy of this chapter. The elections official shall inform each candidate for public office that subscription to the code is voluntary.

In the case of a committee making an independent expenditure as defined in Section 82031 of the Government Code, the Secretary of State shall provide a blank form and a copy of this chapter to the individual filing, in accordance with Title 9 (commencing with Section 81000) of the Government Code, an initial campaign statement on behalf of the committee.

The text of the code shall read, as follows: (See "CODE OF FAIR CAMPAIGN PRACTICES" on the reverse side).

20442. The elections official shall accept, at all times prior to the election, all completed forms that are properly subscribed to by a candidate for public office and shall retain them for public inspection until 30 days after the election.

20443. Every code subscribed to by a candidate for public office pursuant to this chapter is a public record open for public inspection.

20444. In no event shall a candidate for public office be required to subscribe to or endorse the code.

California Code of Fair Campaign Practices

There are basic principles of decency, honesty, and fair play which every candidate for public office in the State of California has a moral obligation to observe and uphold, in order that, after vigorously contested, but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

- (1) **I SHALL CONDUCT** my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponents or political parties which merit such criticism.
- (2) **I SHALL NOT USE OR PERMIT** the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his or her personal or family life.
- (3) **I SHALL NOT USE OR PERMIT** any appeal to negative prejudice based on race, sex, religion, national origin, physical health status, or age.
- (4) **I SHALL NOT USE OR PERMIT** any dishonest or unethical practice which tends to corrupt or undermine our American system of free elections or which hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting.
- (5) **I SHALL NOT** coerce election help or campaign contributions for myself or for any other candidate from my employees.
- (6) **I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE** support deriving from any individual or group which resorts, on behalf of my candidacy or in opposition to that of my opponent, to the methods and tactics which I condemn. I shall accept responsibility to take firm action against any subordinate who violates any provision of this code or the laws governing elections.
- (7) **I SHALL DEFEND AND UPHOLD** the right of every qualified American voter to full and equal participation in the electoral process.

I, the undersigned, candidate for election to public office in the State of California or treasurer or chairperson of a committee making any independent expenditures, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.

Signature _____ Date _____

Printed Name _____

Date of Election _____